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17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19 **SAN FRANCISCO DIVISION**

20 AMERICAN FEDERATION OF
21 GOVERNMENT EMPLOYEES, AFL-CIO, et
al.,

22 Plaintiffs,

23 v.

24 DONALD J. TRUMP, in his official capacity as
25 President of the United States, et al.,

26 Defendants.
27
28

Case No.: 3:25-cv-03070-JD

**DECLARATION OF BRANDY
WHITE**

DECLARATION OF BRANDY WHITE

I, Brandy White, declare as follows:

1. I am over 18 years of age and competent to give this declaration. This declaration is based on my personal knowledge, information, and belief.

2. I am a Facilities Assistant at the Federal Correctional Complex in Forest City, Arkansas. I have worked for the Bureau of Prisons (“BOP”) for nearly 22 years, since 2004. BOP is an agency in the Department of Justice. Prior to my current position, I was a Health Information Technician for approximately 8 years. As a Facilities Assistant, I conduct a variety of administrative tasks for the facility to ensure operations run smoothly. A couple of my most frequent tasks include submitting work and maintenance orders for when bureau staff work on the facility, and input and track facility workers’ and inmates’ pay, time, and attendance. Additionally, I am regularly augmented to perform correctional officer work to help fill in for officer vacancies, for an average of one shift every other week.

3. I am the President of the American Federation of Government Employees Council of Prison Locals 33 (“CPL-33”). I have been the Council President since August of 2023. Prior to my current role, I served as the Council Secretary-Treasurer for six years. I am also a member of AFGE Local 922. I have been a member of AFGE for 21 years. Shortly after I first joined the union, I was elected as the Secretary-Treasurer for AFGE Local 922 and served in that role for about 12 years.

4. CPL-33 represents a bargaining unit of approximately 30,000 civil servants who work for the BOP. These employees cover a variety of positions including, but not limited to, correctional officers, psychologists, teachers, food service workers, recreation staff, and case managers in 122 facilities across the country. These bargaining unit members work to help inmates fulfill their sentences and debts to society in a productive manner by, among other things, providing education, technical training, mental health services, and case management. BOP bargaining unit members strive to reduce recidivism of federal inmates through these vital

1 duties. The March 27, 2025, Executive Order titled “Exclusions from Federal Labor
2 Management Relations Programs” (“Executive Order”) covers all workers in CPL-33.

3 5. CPL-33’s mission is to advocate for and promote the interests of bargaining unit
4 members in their federal employment, including working for a safe and fair workplace for all
5 members. As the exclusive bargaining representative for all bargaining unit employees in the
6 BOP, CPL-33, AFGE, provides many services to all bargaining unit members. Core functions of
7 the Union include collective bargaining with the agency to obtain a fair and reasonable collective
8 bargaining agreement (“CBA”); filing and negotiating grievances against the agency to enforce
9 the terms and conditions of the CBA; pursuing arbitrations on behalf of workers to enforce the
10 CBA; providing regular trainings to constituent locals; and providing other support, guidance,
11 and resources to bargaining unit employees. CPL-33 is also very active in advocating for
12 improved working conditions on Capitol Hill – such as for greater safety measures and staffing
13 levels.

14 6. The Executive Order will immediately and severely harm CPL-33’s ability to
15 provide these services to unit members and to accomplish its mission.

16 7. If CPL-33 is no longer the exclusive bargaining representative of the unit, the
17 CPL-33 cannot enforce the CBA against the agency. The CBA, which is effective from July
18 2014 to May 2029, provides important rights and protections to workers. For instance, the CBA

- 19 a. Sets terms and conditions for overtime, sick leave, holidays, and paid time off for
20 workers in the unit.
- 21 b. Imposes safety and health requirements to ensure the welfare of workers in their
22 place of employment.
- 23 c. Establishes protections for workers regarding reduction-in-force (“RIF”) actions
24 and procedures.
- 25 d. Imposes procedures for and limitations on disciplinary and adverse actions against
26 workers.

- e. Provides for an Employee Assistance Program for individuals who have problems associated with alcohol, drug, marital, family, legal, financial, stress, attendance, and other personal concerns.
- f. Establishes grievance and arbitration procedures for employees and the Union to resolve disputes with the agency over employment matters.
- g. Provides for official time, which allows bargaining unit employees to perform union representation activities during government time as reasonable and necessary.
- h. Sets hours of work, establishes seniority of members, and outlines the bidding process for shift work.

Without CPL-33 to represent them and enforce the CBA, the workers will not have the benefit of those rights and protections going forward. I understand that the agency is also likely to rescind the CBA under the Executive Order.

8. CPL-33's staff and activities are funded through members' voluntary dues. If the Council can no longer receive dues under the Executive Order, the Council will not be able to continue to function or provide any of its services or protection to the members listed above.

9. If CPL-33's officers can no longer perform representational activities on official time in the office, it will be much more difficult, if not impossible, for the Union to fulfill its basic representational duties. Official time is one of the most important pieces to enabling Union representatives to prepare for and participate in the arbitrations, EEO cases, workers compensation cases, and other proceedings and negotiations that they handle on behalf of workers in the bargaining unit. It is also important for Union representatives to be able to meet with members in the office to hear and address workplace concerns.

10. At least two locals in CPL-33 have already been stripped of official time, with the Agency ordering one of these locals to vacate their union office within two days. As a result, local officers are forced to use personal leave to conduct official union business and to continue providing representational activities. In addition, I am aware of at least two grievance

1 arbitrations on behalf of members in CPL-33 that have been canceled by the Agency due to the
2 Executive Order.

3 11. The Executive Order is chilling workers' speech and activity. I know from
4 personal experience that without the protections of the CBA and the Union as our exclusive
5 representative, workers will be afraid to raise concerns over workplace conditions with the
6 agency. The BOP is already understaffed, and workers' safety will be jeopardized in an already
7 hazardous job. Additionally, because this Executive Order targets federal unions and their
8 employees, I am hesitant to criticize the administration or voice contrary political views, for fear
9 of additional repercussions. I understand from my interactions with other federal union
10 employees that many of them feel the same way.

11 I declare under penalty of perjury under the laws of the United States that the foregoing is
12 true and correct. Executed April 3, 2025, in Forest City, Arkansas.

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